

### REMARKS

In the Office Action mailed on November 30, claims 1-8 were allowed, claims 9, 10 and 13 were rejected, and claims 11, 12, 14 and 15 were objected to. With this Amendment, claims 11 and 14 are amended and claims 9, 10 and 13 are cancelled.

On page 2 of the Office Action, the Examiner asserted that the declaration is defective because it doesn't include reference to the applications mentioned in the first page of the specification. Applicant points out that the "CROSS-REFERENCE TO RELATED APPLICATIONS" paragraph on page 1 of the specification was amended in the Preliminary Amendment filed with the application. The amended cross-reference paragraph claims priority to only provisional application 60/188,560. The executed declaration filed on September 12, 2001, does refer to this priority claim. Therefore Applicant submits that the declaration is not defective.

In Item 1 of the Office Action, the drawings were objected to because the Examiner asserted that the limitation "decoder provides the decisions and [the select and path select] signals to the equalizer" from claim 11 is not shown in the drawings. Although Applicant does not necessarily agree with this assertion, claim 11 is amended herewith to change "intermediate decisions, select signals, and path signals" to "intermediate decisions and select signals." Applicant submits that claim 11, as amended, is supported in Figures 6, 14 and 15, for example. Applicant submits that this amendment to claim 11 also obviates the Examiner's objection to claim 11 in Item 3 of the Office Action.

In Item 5 of the Office Action, claims 9, 10 and 13 were rejected under 35 U.S.C. 102(b) as being anticipated by Marchetto et al., US Patent No. 5,513,215. Although Applicant does not necessarily agree with this rejection, claims 9, 10 and 13 are cancelled herewith to expedite the allowance of claims 1-8, 11, 12, 14 and 15.

In Item 10 of the Office Action, the Examiner indicated that claims 11, 12, 14 and 15 would be allowable if rewritten in independent form, including the limitations of the base claims and any intervening claims. Claims 11 and 14 are amended herewith to be in independent form, including the limitations of the base claims. Therefore, Applicant submits that claims 11, 12, 14 and 15 are allowable.

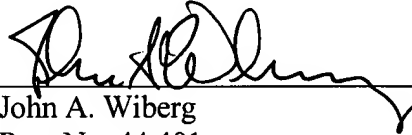
Appl. No. 09/804,082  
Amdt. dated Feb. 23, 2005  
Reply to Office Action of Nov. 30, 2004

In view of the foregoing, Applicant requests allowance of claim 1-8, 11, 12, 14 and 15.

The Commissioner is hereby authorized to charge additional fee(s) or credit overpayment(s) to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: February 23, 2005

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Wiberg", written over a horizontal line.

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